

TCEQ, Air Permits Division
Oil and Gas Industry Stakeholder Group
November 20, 2003
9:00 am - 12:00 pm
TCEQ, Bldg. E, Rm 201S

Minutes

I Opening Remarks Tara Capobianco

II Background or Update Information Eduardo Acosta

June 2001 - Chapter 122 revisions became effective, which identified New Source Review (NSR) as an applicable requirement.

October 2001 - Oil and Gas General Operating Permit (GOP) Numbers 511-514 were revised to include NSR as an applicable requirement.

Currently working to revise the Oil and Gas GOP Numbers 511-514 and codify the Permits by Rule (PBRs) and Standard Permits ensuring similar sources are authorized under the GOP.

III Discussion Topics

A. General Operating Permits Eduardo Acosta

Oil and Gas GOP Numbers 511-514 will be revised for the following:

Addition of Compliance Assurance Monitoring (CAM);

Addition of Periodic Monitoring;

Addition of 30 Texas Administrative Code (TAC) Chapter 101 requirements;

Addition of PBRs and standard permits (Unable to codify case by case NSR); and

Update all requirements in terms and conditions and GOP tables.

Only sources authorized by (PBRs) and/or standard permits codified in the revised GOPs will continue to qualify to operate under the GOPs.

Facilities who have case-by-case NSR permits must apply for a site operating permit (SOP).

Facilities authorized by a case-by-case NSR permit may convert to a PBR or standard permit if the facility can meet all conditions of that PBR or standard permit and maintain GOP eligibility.

B. Permits by Rule & Standard Permits Eduardo Acosta

Revising the Oil and Gas PBR (§106.352) in order to minimize registration requirements; and

Revising the Oil and Gas standard permit (§116.610) to establish a tiered approach

Stakeholder meeting will be scheduled in early February to discuss conceptual revisions.

C. Implementation Eduardo Acosta

Publish notice for PBR/standard permit: May 2004

PBR/standard permit becomes effective: November 2004

Publish notice for GOP revisions: December 2004

Effective date of GOP: July 2005

D. Open Discussion Open Discussion

1. Are all permits by rules (PBR) going to be brought into the general operating permit (GOP)?
The PBRs current GOP holders have will be codified in the GOP, including all historical

versions.

2. If we just renewed a case-by-case new source review (NSR) permit, what is the chance we'll be able to get a PBR or standard permit? It is possible you'll qualify.
3. When GOPs become effective, what is the timing for people to submit application for a site operating permit (SOP)? The GOP and statement of basis will specify dates.
4. Will we not have a permit while waiting for the SOP to be issued? Permit holders will still be authorized under the GOP until SOP is issued and must certify compliance with the GOP until it is rescinded.
5. Is a VERP a case-by case permit? Yes; anything not a PBR or standard permit is case-by-case.
6. Why is this being done? Is this driven by EPA? There is an inconsistency between how we issue GOPs and SOPs. In 2001 we incorporated NSR generally through the application process for GOPs. We must now codify the NSR permits in the GOP itself. Title 40 Code of Federal Regulations Part 70 requires that GOPs are issued for similar sources. Since case-by-case NSR permits are unique, only PBRs and standard permits can be incorporated into the GOPs. The public will be given opportunity to comment on these PBRs and standard permits during the GOP public notice process, similar to the SOP public notice process. We have not received a notice of deficiency from EPA, however our GOP is vulnerable to one based on the similar source and notice issues if these revisions are not made. EPA is on board with these proposed revisions.
7. Will the GOP revisions be available at the next stakeholder meeting? No. A stakeholder meeting will be held in the late summer or early fall to discuss those revisions.
8. If we get a SOP, will the NSR permit be in the SOP and will we need only one permit instead of two separate? Most likely you will be required to have a separate NSR permit and SOP (in which the NSR permit will be incorporated by reference), however we will consider this option.
9. We have case-by-case permits because we can't meet the emission limits, but we are still similar source types. Individual emission rates from case-by-case NSR permits cannot be codified into a GOP.
10. Is it possible to streamline the process for applying for a SOP since we already have a GOP? We are currently working on those procedures and how to minimize the application requirements.
11. What comments do you expect on the PBRs and standard permits that will be codified into the GOPs? We anticipate comments concerning appropriate monitoring for Title V purposes.
12. Why have we been certifying compliance with NSR permits since December 2001? NSR has been an applicable requirement, now the actual PBR and standard permit will be a part of the GOP—not just the application.

13. Was notice a part of the litigation discussion for the notice of deficiency? That was one of the items, but not addressed per se for GOPs. It was an issue brought about by petitioners in our discussions.
14. If you've done a site-wide PI-8, are you still eligible for GOP? Yes. We realize many sites lowered emissions to get out of MACT.
15. Can we have a GOP and SOP at the same time at the site? If we have a choice, which is better? You may have a GOP and SOP at the same time at a site. Whether you choose one or other depends on your site and your preference. For SOPs, you must go through the public notice yourself and pay the associated publishing costs.
16. How will the NSR authorizations be codified in the GOP? We are still developing the exact format in which the PBRs and standard permits will be codified.
17. If we have a special exemption, would we need a SOP? Yes.
18. For those who need to convert, can the rule be written so this doesn't have to be done until their renewal? We will consider this, but we will need to proceed fairly quickly.
19. Has frequency of deviation changed? No plan to change 6 month frequency.
20. How can we certify to the GOP if we don't really qualify? If you know you won't qualify for the GOP, you can submit the application early. We will evaluate the certification requirements further.
21. What requirements in 30 TAC 106.352 are being looked at? There isn't a tiered approach with the PBR and standard permit. Rule language will be distributed to stakeholder group at next meeting.
22. What Chapter 101 requirements are being added? The requirements added to the 30 TAC Chapter 122 applicable requirement definition in November, 2002, which include §§101.1, 101.3, 101.8, 101.9, 101.10, 101.201, 101.211, 101.221, 101.222, and 101.223. We've changed the rule, but not the GOP yet.
23. Will there be a phase-in period for CAM and periodic monitoring? Yes. 180 days from when we issue revision to the GOP the monitoring must be operational.

IV Closing Remarks/Action Items Tara Capobianco

V Next Meeting Date

The next meeting will tentatively be in early February, 2004. Additional information will be sent to stakeholders via the listserver.

[MEETING ATTENDEES](#)

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Oil and Gas Indust
Novemb
9:00 am
TCEQ, Bld

Oil an

Sign-

Attendee Name
(Please Print Legibly)

BRENDA BAXTER

Tommy ARVINE

Jon Fields

John PHENIX

Brooke Quarles

Cee Cee Candler

Jay Waldrop

Rachel Trainer

Pete Stevenson

TOMMY MOFFETT

A. S. Shankar

Mack Garner

Attendee Name
(Please Print Legibly)

RAYMOND D. LAY

Irene T. Gar

Tom Monahan

DONNA SKINNER

Chris Smith

MIKE BREAU

James Meier

Peggy Waisanen

Ed Fiesinger

Mary Jaquez

David Miller

Lynn Reed

TCEQ, Air I
Oil and Gas Indust
Novemb
9:00 am
TCEQ, Bld

Oil an

Sign-

Attendee Name
(Please Print Legibly)

Becky Tolon

Rosalynna Pena-Watson

Joyce Davis

Paul Coon

Eduardo Acosta

Attendee Name
(Please Print Legibly)

GARY NICHOLLS

John Gott

Neftali GARCIA

Melissa Ryan

Tom Smith

Kris Kuchin

Brady Dodson

BREAN TAYLOR

Tony Jabon

Tim Prince

Celina Romero

Marc Phillip